

United States District Court
Northern District of New York

JUDGMENT IN A CIVIL CASE

PEARL H. LEONARD,

Plaintiff,

v.

CASE NUMBER: 5:05-CV-1084 (FJS)

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

[] Jury Verdict.

This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

[X] Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the decision denying disability benefits is REVERSED with a directed finding of disability and REMANDED to the Commissioner for the sole purpose of calculating benefits owing to Plaintiff as a result of that directed finding; and that because the referral of this matter to a Magistrate Judge under Local Rule 72.3 has been RESCINDED, any appeal that a party takes from this Order shall be to the Court of Appeals for the Second Circuit.

All of the above pursuant to the order of the Honorable Senior Judge Frederick J. Scullin, Jr., dated the 7th day of August, 2008.

DATE: August 7, 2008

**LAWRENCE K. BAERMAN
CLERK OF COURT**

s/

**By: Lori M. Welch
Deputy Clerk**